

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ho-Jin KWEON, et al.

Application No. 10/092,300

Group Art Unit: 1795

Confirmation No. 2618

Filed: March 7, 2002

Examiner: Raymond Alejandro

For: **POSITIVE ACTIVE MATERIAL COMPOSITION FOR RECHARGEABLE LITHIUM BATTERIES**

TERMINAL DISCLAIMER (37 C.F.R. § 1.321(c))

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

**INTEREST AND TITLE OF PERSON MAKING THIS
TERMINAL DISCLAIMER**

Petitioner, Douglas X. Rodriguez, represents that I am an attorney of record of the Assignee identified below owning the entire interest in the above-identified application and am authorized to sign on behalf of the Assignee.

IDENTITY OF ASSIGNEE

The Assignee is Samsung SDI Co., Ltd., a corporation organized and existing under the laws of the Republic of Korea, having an office and principal place of business at 575, Shin-Dong, Paldal-gu, Suwon-City, Kyungki-do, Republic of Korea.

RECORDAL OF ASSIGNMENT IN USPTO

The Assignment of the above-identified application was recorded in the U.S. Patent and Trademark Office on Reel 012694 Frame 0398.

**COMMON OWNERSHIP OF U.S. PATENT NOS. 6,797,435, 6,753,111 AND U.S. PATENT
APPLICATION NOS. 10/189,384, 10/072,923, 09/897,445, AND 10/627,725**

Pursuant to Rule 3.73(b), the Assignee is the current owner of the subject application pursuant to the Assignment identified below. Assignee further confirms that it remains the owner of U.S. Patent Nos. 6,797,435, and 6,753,111 and of U.S. Patent Application Nos. 10/189,384, 10/072,923, 09/897,445, and 10/627,725.

CERTIFICATION OF TITLE

The evidentiary documents have been reviewed and the undersigned certifies that, to the best of said Assignee's knowledge and belief, title of the above-identified application and of U.S. Patent Nos. 6,797,435, and 6,753,111 and of U.S. Patent Application Nos. 10/189,384, 10/072,923, 09/897,445, and 10/627,725 are in the said Assignee.

TERMINAL DISCLAIMER

Assignee hereby disclaims the terminal part of the statutory term of any patent, granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent Nos. 6,797,435, and 6,753,111 and of any patent issuing from U.S. Patent Application Nos. 10/189,384, 10/072,923, 09/897,445, and 10/627,725 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,797,435, and 6,753,111 and of any patent issuing from U.S. Patent Application Nos. 10/189,384, 10/072,923, 09/897,445, and 10/627,725. This agreement runs with any patent granted on the above-identified application and is to be binding upon the grantee, its successors or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent Nos. 6,797,435, and 6,753,111 and of any patent granted for U.S. Patent Application Nos. 10/189,384, 10/072,923, 09/897,445, and 10/627,725 in the event that U.S. Patent Nos. 6,797,435, and 6,753,111 and any patent issuing from U.S. Patent Application Nos. 10/189,384, 10/072,923, 09/897,445, and 10/627,725 later expire for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of their statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned hereby declares that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FEE

The requisite disclaimer fee under 37 C.F.R. §1.20(d) of \$130.00 is attached hereto.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 7/2/08

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